

ESTTA Tracking number: **ESTTA72865**

Filing date: **03/27/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	ALTOUR INTERNATIONAL, INC.
Granted to Date of previous extension	03/26/2006
Address	1270 AVENUE OF THE AMERICAS NEW YORK, NY 10020 UNITED STATES
Attorney information	Christy L.E. Hubbard LEWIS AND ROCA LLP 40 North Central Avenue Suite 1900 Phoenix, AZ 85004 UNITED STATES TRADEMARKS@LRLAW.COM Phone:602.262.5311

Applicant Information

Application No	78495356	Publication date	09/27/2005
Opposition Filing Date	03/27/2006	Opposition Period Ends	03/26/2006
Applicant	Altair Relocation, Inc. Suite 400 16000 Dallas Parkway Dallas, TX 75248 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2004/10/05 First Use In Commerce: 2004/10/05
All goods and services in the class are opposed, namely: Management of employee relocation programs of others

Attachments	alt_nop.tif (3 pages)
Signature	/CHRISTY L.E. HUBBARD/
Name	Christy L.E. Hubbard
Date	03/27/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

ALTOUR INTERNATIONAL, INC.)	
)	Opposition No. _____
Opposer,)	
)	Mark: ALTAIR
vs.)	
)	Serial No. 78/495,356
ALTAIR RELOCATION, INC.,)	
)	Published: 09/27/05
Applicant.)	
_____)	

NOTICE OF OPPOSITION

Opposer Altour International, Inc. ("Altour"), a New York corporation doing business at 1270 Avenue of the Americas, New York, NY 10020, believes that it will be damaged by the registration of the trademark shown in Application Serial No. 78/495,356 and hereby opposes its registration. As grounds for opposition, Altour alleges as follows:

1. Altour is one of the largest full service travel companies in the United States.
2. Altour manages the corporate, group and individual needs of travelers in such diverse fields as fashion, entertainment, production, finance and leisure. Altour specializes in corporate travel.
3. Altour owns an incontestable federal trademark registration for the mark ALTOUR INTERNATIONAL (Fed. Reg. No. 2,345,440) for "travel management", "arranging travel tours and travel agency services, namely making reservations and bookings for transportation" and for "travel agency services, namely making reservations and bookings for temporary lodging." The registration is valid and existing.
4. Altour owns a federal trademark registration for ALTOUR (Fed. Reg. 3,045,911) for "travel management; business meeting planning", for "arranging travel tours and travel agency services, namely making reservations and booking for transportation; coordinating travel arrangements for individuals and for groups; limousine services; arranging of cruises; arranging of rental cars" and for "travel agency services, namely making reservations and bookings for temporary lodging, restaurants and meals." The registration is valid and existing.

5. Altour also owns federal trademark applications for ALTOUR AIR (Serial No. 78/834,325) for “coordinating travel arrangements for individuals and groups; organization of travel; travel agency services, namely making reservations and bookings for transportation” and for ALTOUR LIMOUSINE (Serial No. 78/834,459) for “limousine services, chauffeur services; arranging travel tours; coordinating travel arrangements for individuals and groups; organization of travel; travel agency services, namely making reservations and bookings for transportation.”

6. Altour has been using the ALTOUR INTERNATIONAL mark in commerce since at least as early as 1991 and the ALTOUR mark since at least as early as 1993. Both marks have been used as trademarks continuously and nationwide, including on Altour’s website at www.altour.com.

7. According to U.S. Patent and Trademark Office (“PTO”) records, on October 6, 2004 Applicant filed an application for the mark ALTAIR, Serial No. 78/495,356, for “management of employee relocation programs of others.”

8. According to PTO records, Applicant indicated in its application that the ALTAIR mark was first used in connection with these services on October 5, 2004, several years after Altour’s first use of ALTOUR began.

9. Applicant’s ALTAIR mark is visually and phonetically similar to the ALTOUR mark, and the marks have similar overall commercial impressions.

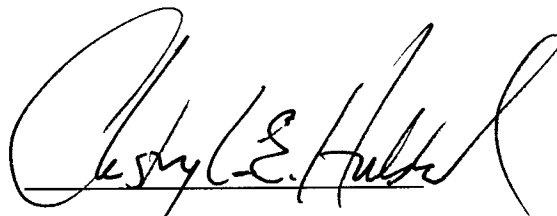
10. Applicant’s services could encompass a wide variety of travel management services, which are identical to or are closely related to Altour’s services.

11. The use and registration of the ALTAIR mark is likely to cause confusion as to the source of each party’s services or as to the existence of a connection, sponsorship or affiliation between Applicant and Altour, when none exists.

12. Altour respectfully prays that its Opposition be sustained and that Applicant’s Application No. 78/495,356 for the mark ALTAIR be denied registration.

Altour submits this Notice of Opposition electronically along with the opposition fee of \$300.00. Should this sum be insufficient for any reason, please deduct from the opposition fee from the Lewis and Roca deposit account, No. 12-1212.

DATED this 27th day of March, 2006.

A handwritten signature in black ink, appearing to read "Christy L.E. Hubbard", written over a horizontal line.

Christy L.E. Hubbard

Flavia Campbell

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